

**IN THE UNITED STATES DISTRICT COURT
FOR THE SOUTHERN DISTRICT OF INDIANA**

Chris Kuhlman)	
)	
Plaintiff,)	Jury Demand
)	
v.)	
)	
Weltman, Weinberg & Reis Co.)	
)	Case number: 1:14-cv-412
)	
Defendant.)	

COMPLAINT

I. INTRODUCTION

This action is filed by Plaintiff, Chris Kuhlman (hereinafter “Mr. Kuhlman”), to remedy Defendant Weltman, Weinberg & Reis Co (hereinafter “Weltman”) violations of the Fair Debt Collection Practices Act, 15 U.S.C. §§ 1692-1692p (FDCPA)

JURISDICTION AND VENUE

1. Defendant, Weltman a for-profit financial institution, which conducts business in the State of Indiana.
2. Federal and State Courts of Indiana have concurrent jurisdiction over Plaintiff’s action brought under FDCPA.
3. Venue is proper because a substantial portion of the events complained of occurred in this District.

PARTIES

4. Mr. Kuhlman is an individual who resides in Indiana.
5. Weltman is a debt collector who has attempted to collect a debt originally owed by Mr. Kuhlman to The Huntington National Bank (hereinafter “Huntington”).

FACTUAL ALLEGATIONS

6. The case involves an alleged debt, originally owed by Mr. Kuhlman to Huntington (Hereinafter “Debt”).
7. On April 9th, 2012 Mr. Kuhlman filed for bankruptcy. (Case 12-04007-JKC-7A Doc 1).
8. As part of Mr. Kuhlman’s bankruptcy, the Debt at issue in this case was fully discharged. (Case 12-04007-JKC-7A Doc 1& Doc 45).
9. Huntington was made aware of this bankruptcy petition and subsequent discharge, as verified in the Mailing List of Mr. Kuhlman’s petition. (Case 12-04007-JKC-7A Doc 1)
10. Weltman has repeatedly contacted Mr. Kuhlman’s in an attempt to collect the Debt via mail and phone calls.
11. Weltman contacted Mr. Kuhlman’s phone in an attempt to collect the debt at issue in this case on dates including but not limited to 1/27/14, 2/4/14, 2/5/14, 2/11/14, 2/12/14, 2/15/14, 2/18/14, 2/19/14, 2/20/14, 2/22/14, 2/25/14, and 2/26/14.
12. On January 15, 2014, Weltman sent a letter to Mr. Kuhlman through the mail in an attempt to collect the Debt. **(See Exhibit A.)**
13. On February 21, 2014, Weltman sent a letter to Mr. Kuhlman through the mail in an attempt to collect the Debt. **(See Exhibit B.)**

LEGAL ALLEGATIONS: COUNT I- FDCPA

14. Paragraphs 1-13 are re-alleged here and incorporated through reference.
15. Defendant is a “debt collectors” as defined by the FDCPA.
16. Mr. Kuhlman is a “consumers” as defined by the FDCPA.

17. Defendant attempted to collect an alleged “debt” as defined by FDCPA.
18. Defendant violated the FDCPA, 15 U.S.C. § 1692(f) when it used unfair or unreasonable means to collect or attempt to collect the debt.
19. Defendant violated the FDCPA, 15 U.S.C. § 1692(e) when it used false or misleading representations to collect a debt.

WHEREFORE, Plaintiff requests that the Court declare that Defendant violated FDCPA, enjoin the Defendant from committing any future violations of the FDCPA, and award Plaintiff actual and compensatory damages permissible under the FDCPA, and grant Plaintiff all other relief the court deems to be just and proper.

3/14/14
DATE

/s/Syed Ali Saeed
Syed Ali Saeed (#28759-49)
1433 N. Meridian St., Suite 202
Indianapolis, IN 46202

JURY DEMAND

Plaintiff demands trial by jury.

3/14/14
DATE

/s/Syed Ali Saeed
Syed Ali Saeed (#28759-49)
1433 N. Meridian St., Suite 202
Indianapolis, IN 46202

CERTIFICATE OF SERVICE

I hereby certify that on the on the 14th day of March, 2014 a copy of the foregoing Motion was mailed to the following recipients: (1) by first-class U.S. Mail, postage prepaid, and properly addressed; or (2) sent via the courts electronic filing system.

Weltman, Weinberg & Reis Co. LPA
3705 Marlane Drive
Grove City, OH 43123

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